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Attorney and Counsellor at Law,
PRESCOTT, ARIZONA.

Office on Cortez Street, fronting the Plaza. 36m

WM. J. BERRY,

Commissioner of Deeds for the State of California,
PRESCOTT, ARIZONA.

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PRESCOTT ADVERTISEMENTS.

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THE "QUARTZ ROCK" SALOON

Situated on Granite street, having been enlarged and refitted, with the addition of a New Table-making

TWO NEW TABLES OF BEST PATTERN,

is now open to the public.

THE BAR will be furnished with the best of liquors. For proof, call and see. DOC & JOE.

LIVERY AND SALE STABLE.

The undersigned having built a large stable and corral, with sheds, for the accommodation of the public keeps constantly on hand Riding Horses, also Carriages and Carriage Horses, for sale or let on reasonable terms. JAMES TUTTLE, Agent.

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Hardware, Tin and Sheet Iron Ware, Groceries and Miners' Tools, for sale by WM. H. BARNARD, Prescott, Arizona, Dec. 19, 1865. 103m

G. W. BARNARD,

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QUARTZ MOUNTAIN MILL.

The attention of the public is called to the fact that we have renewed facilities for the manufacture of all kinds of lumber for building purposes, for sawing and mining. Having become satisfied with the credit system as now practiced here, we have concluded from this time to credit no one, and have fixed the prices of lumber at the mill as follows:
For good merchantable lumber, \$60 per M.
Second quality, \$30 per M.
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Terms, cash on delivery, payable in U. S. gold coin, or its equivalent in currency. A. O. NOYES, Agent.

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Is constantly on hand

Flour, Bacon,

Lard, Butter,

Cheese, Coffee,

Dried Fruit, Sugar,

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Coal Oil, Honey,

Can Fruits and Vegetables,

Together with a general assortment of

GROCERIES AND PROVISIONS.

FOR SALE CHEAP AT THE

CASH STORE.

Prescott, January 20, 1866. 103

OFFICIAL.

LAWS OF ARIZONA.—1866

ADOPTED BY THE THIRD LEGISLATIVE ASSEMBLY.

AN ACT,
Creating the office of Territorial Auditor,
Be it enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. There shall be a Territorial Auditor who shall be appointed by the Governor, by and with the advice and consent of the Legislative Council, who shall hold his office for the term of two years and until his successor is appointed and qualified.

SEC. 2. That the powers and duties of the Auditor shall be such as are conferred upon the Board of Territorial Auditors by chapter twenty, Howell Code, so far as the same shall be applicable and not inconsistent with the provisions of this act.

SEC. 3. The Territorial Auditor shall on or before the first day of August, annually submit to the Governor, a report of his doings during the year next preceding.

SEC. 4. The Auditor shall receive an annual salary of five hundred dollars (\$500) to be paid quarterly yearly, out of the Territorial Treasury and in addition thereto be allowed one hundred and fifty dollars (\$150) for office and incidental expenses.

SEC. 5. That sections five, eight, nine, ten and eleven, of chapter twenty, Howell Code, entitled, "Of the Board of Territorial Auditors," and all acts or parts of acts in conflict with the provisions of this act are hereby repealed.

SEC. 6. This act to take effect and be in force from and after its passage.

GRANVILLE H. OURY,

Speaker of the House of Representatives.

MARK ALDRICH,

President of the Council.

Approved October 31st, 1866.

RICHARD C. MCCORMICK,

A true copy of the original on file in my office.

JAMES P. T. CARTER,

Secretary of the Territory.

AN ACT,

Extending the time for the collection of Taxes in Yuma County.

Be it enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. That the time allowed by section twenty-two, (22) chapter thirty-three, (33) of the Howell Code, for the collection of taxes is hereby extended in Yuma county, for the current year, until the first day of December, and that the collector of said Yuma county is hereby authorized to collect the taxes of said county on or before the first day of December next.

SEC. 2. That the acts of the county collector, county treasurer, and other officers of Yuma county, under the provisions of this act, shall be held as legal and valid as though performed in full compliance with the said section of chapter thirty-three (33) of the Code.

SEC. 3. This act shall take effect and be in force from and after its passage.

GRANVILLE H. OURY,

Speaker of the House of Representatives.

MARK ALDRICH,

President of the Council.

Approved Oct. 22, 1866.

RICHARD C. MCCORMICK,

A true copy of the original on file in my office.

JAMES P. T. CARTER,

Secretary of the Territory.

AN ACT,

Providing for the permanent location of the seat of justice of Mohave County, by a direct vote of the people.

Be it enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. That the Board of Supervisors of Mohave county, may and they are hereby empowered to cause a special election to be held in the different precincts of said county on such day as they may appoint, prior to the first day of January, A. D. 1867, for the purpose of declaring the place where the county seat of said county shall be permanently established: *Provided*, That said place shall be either at the town of Hardyville or Mohave City, in said county, and not elsewhere.

SEC. 2. Said election shall be ordered by the board of supervisors of said county, and it shall be the duty of the Sheriff when said election is so ordered, to post notice thereof in each election precinct within said county, at least ten days previous to the day of holding such election.

SEC. 3. The manner of holding such election shall be the same as that for electing county officers, the voters designating in their ballots, the place of their choice, by writing on the ballot the words Hardyville, or Mohave City, and the place having a majority of the votes cast shall be declared the seat of justice, or county seat of said county.

SEC. 4. The judges of each precinct in said county are required to make a return of the vote in said precinct to the Secretary of the Territory, who shall canvass the vote and declare the result to the Supervisors of said county, and the Supervisors shall thereupon proceed to establish the county seat in accordance with the declared result, and give public notice thereof by publication in the Arizona Miner for thirty days, and by posting notice at the county seat.

SEC. 5. If the Board of Supervisors of said county do not call a special election on or before the first day of January, A. D. 1867, for the purpose aforesaid, then at the next general election, a vote may be taken in a like manner and with like effect, as provided for said special election.

SEC. 6. This act shall take effect and be in force from and after its passage.

GRANVILLE H. OURY,

Speaker of the House of Representatives.

MARK ALDRICH,

President of the Council.

Approved, October 23, 1866.

RICHARD C. MCCORMICK,

A true copy of the original on file in my office.

JAMES P. T. CARTER,

Secretary of the Territory.

AN ACT,

Amendatory of Chapter twenty-five, Howell Code, "Of Official Oaths and Bonds."

Be it enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. All provisions in said chapter, section one, referring to, or requiring acts to be done, before, or by the clerk of the district court, with reference to the filing of

bonds, or the qualification of county officials, shall from and after the passage of this act, be done by and before the county recorder, except the approval of, and the filing of the bond of said recorder.

SEC. 2. The bond of the recorder may be approved by the Probate Judge of the county, or by the board of Supervisors, and then shall be filed and placed in the keeping of the chairman of the board of Supervisors.

SEC. 3. This act shall take effect from and after its passage, and shall apply only to the county of Pima.

GRANVILLE H. OURY,

Speaker of the House of Representatives.

MARK ALDRICH,

President of the Council.

Approved, October 23, 1866.

RICHARD C. MCCORMICK,

A true copy of the original on file in my office.

JAMES P. T. CARTER,

Secretary of the Territory.

AN ACT,

Concerning Escheated Estates.

Be it enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. If any person shall die, or any person who may have died, within the limits of the Territory of Arizona, seized of any real or personal estate, and leaving no heirs, representatives or devisees capable of holding or inheriting the same; and in all cases when there is no owner of such real or personal estate capable of lawfully holding the same, such estate shall escheat to and be vested in the Territory of Arizona.

SEC. 2. Whenever the District Attorney shall be informed, or have reason to believe, that any real estate hath escheated to this Territory by reason that any person hath died seized thereof, and hath left no heirs capable of inheriting the same, or by reason of the incapacity of the devisees to hold the same, or when he shall be informed or have reason to believe that any such estate hath otherwise escheated to the Territory, it shall be his duty to file an information in behalf of the Territory in the District Court of the Judicial District in which such estate or any part thereof is situated; setting forth a description of the estate, the name of the person last lawfully seized, the name of the terre-tenant claiming such estate if known, and the facts and circumstances in consequence of which said estate is claimed to have escheated, and alleging that by reason thereof the Territory of Arizona hath right by law to such estate; whereupon such court shall award and issue a summons against such person or persons, bodies politic or corporate, alleged in such information to hold, possess or claim such estate, requiring them to appear and show cause why such estate shall not be vested in the Territory within the time allowed by law in other civil cases; and the court shall make an order, setting forth briefly, the contents of said information, and requiring all persons interested in the estate to appear and show cause, if any they have, within thirty days from the date of said order, why the same should not vest in the Territory; which order shall be published at least one month from the date thereof, in a newspaper published in said district, if one be published therein, and in case no newspaper should be published in said district (by direction of the Judge) in some other newspaper published in this Territory.

SEC. 3. All persons, bodies politic and corporate, named in such information as terre-tenant or claimant to the estate may appear and plead to such proceedings, and may traverse or deny the facts stated in the information, the title of the Territory to lands and tenements or personal property therein mentioned at any time on or before the return day of the summons, and any other person claiming an interest in such estate, may appear and be made a defendant and plead as aforesaid; and if no person shall appear and plead as aforesaid, and the person or persons, bodies politic or corporate, to whom summons was directed, shall refuse to plead within the time named in the summons, then judgment shall be rendered that the Territory be seized of the lands and tenements or personal property in such information claimed. But if any person shall appear and deny the title set forth by the Territory, or traverse any material fact set forth in the information, the issue or issues shall be made up and tried as other issues of fact, and a survey may be ordered and entered as in other actions, when the title or boundary is drawn in question, and if after the issues are tried it shall appear from the facts found, or admitted, that the Territory hath good title to the land, tenements or personal property, in the information mentioned, or any part thereof, judgment shall be rendered that the Territory be seized thereof, and recover costs against the defendant.

SEC. 4. The said District Court, upon the filing of said information, and application of the District Attorney, either before or after answer, up n notice, the party or parties claiming such estate, if known, may (sufficient cause therefor being shown) appoint a receiver to take charge and receive the rents and profits of the same until the title to such real estate shall be finally settled.

SEC. 5. All monies which shall accrue to the Territory by the sale of personal or real property of an escheated estate, or from the rents and profits of lands or tenements held as escheated, shall be paid into the general fund of the Territory, to be used as other monies in said fund, in defrayment of the current expenses of the government, and the redemption of auditors' warrants.

SEC. 6. Any party who shall have appeared to any proceedings as aforesaid, and the District Attorney in behalf of the Territory, shall respectively have the same right to prosecute on appeal, or writ of error, upon any judgment as aforesaid, as parties in other cases.

SEC. 7. The administrator upon any such estate shall proceed as in other cases, to settle the estate, and shall, after all just debts against said estate are paid, and the expenses of administration, pay over the residue of the monies belonging to the estate, if any there be, to the Territorial Treasurer, who shall place the same in the general fund of the Territory. The said Treasurer shall keep a just and true account of all the monies paid into the treasury from such sources, and the district attorney shall file with said treasurer, a

statement of all lands vested in the Territory as aforesaid, immediately after final judgment as aforesaid; and if any person shall appear, within ten years after the death of the intestate, and claim any such monies paid into the treasury as aforesaid, as heir or legal representative, such person may file a petition to the District Court in the district in which the seat of government may be at the time, stating the nature of his claim, and praying such money may be paid him; a copy of such petition shall be served on the district attorney, at least twenty days before the hearing of said petition, who shall put in answer to the same, and the court thereupon shall examine said claim and the allegations and proofs, and if the court shall find that such person is entitled to any money paid into the Territorial Treasury as aforesaid, he shall, by an order, direct the board of auditors to issue their warrant on the treasury for the payment of the same without interest or cost to the Territory, a copy of which order, under the seal of the court, shall be a sufficient voucher for the issuing of said warrant; and if any person shall appear and claim land vested in the Territory as aforesaid, within five years after the judgment was rendered, it shall be lawful for such person (other than such as was served with summons or appeared to the proceeding of their heirs or assigns) to file in the District Court, in the district where the lands claimed lie, a petition setting forth the nature of his claim, and praying that the said lands be relinquished to him, a copy of which petition shall be served on the district attorney, who shall put in an answer, and the court thereupon shall examine said claim, allegations, and proofs, and if it shall appear that such person is entitled to such land claimed in the petition, the court shall decree accordingly, which shall be effectual, for divesting the interests of the Territory in or to the lands, but no costs shall be charged to the Territory, and the claimant or claimants, shall pay the costs of the proceeding, and all persons who shall fail to appear and file their petition within the time limited as aforesaid, shall be forever barred; saving, however, infants, persons of unsound mind, or persons beyond the limits of the United States, who may appear and file their petitions as aforesaid, at any time within five years after their respective disabilities are removed: *Provided*, however, that the Legislature may cause such lands to be sold at any time after seizure in such manner as they may by law prescribe, in which case the claimants shall be entitled to the proceeds in lieu of said lands, upon obtaining a decree or order as aforesaid.

SEC. 8. Subdivision nine of section one, of chapter twenty-six, Howell Code, entitled "Of title to real property by descent," and all acts and parts of acts in conflict with this act are hereby repealed.

SEC. 9. This act shall take effect and be in force from and after its passage.

GRANVILLE H. OURY,

Speaker of the House of Representatives.

MARK ALDRICH,

President of the Council.

Approved October 27, 1866.

RICHARD C. MCCORMICK,

A true copy of the original on file in my office.

JAMES P. T. CARTER,

Secretary of the Territory.

AN ACT,

Creating the Office of District Attorney.

Be it enacted by the Legislative Assembly of the Territory of Arizona:

SECTION 1. There shall be a District Attorney in each of the counties of this Territory, who shall be elected by the qualified electors of each county, at the general election in the year one thousand eight hundred and sixty-seven, and every two years thereafter, whose term of office shall commence on the first day of December of the year in which he is elected.

SEC. 2. Before entering upon the duties of his office he shall execute and file with the county recorder a bond, in the penal sum of one thousand dollars, to the county, conditioned for the faithful performance of the duties of his office.

SEC. 3. The district attorney in each county, shall be public prosecutor therein.

SEC. 4. The district attorney in each county shall receive for his services, annually, the following sum: First, of Yavapai, three hundred dollars (\$300). Second, of the county of Pima, three hundred dollars (\$300). Third, of the county of Mohave, one hundred and fifty dollars (\$150). Fourth, of the county of Pahr-Ute, one hundred dollars (\$100). Fifth, of the county of Yuma, one hundred and fifty dollars (\$150). Sixth, when any new county shall be hereafter created, the district attorney in such county shall receive for his salary not to exceed one hundred dollars (\$100).

SEC. 5. He shall attend the district courts held in his county, for the transaction of criminal business. He shall also attend justice courts in his county, when required by justices of the peace, and conduct all prosecutions on behalf of the people for criminal offenses.

SEC. 6. If he fail to attend any term of the district court, the court may designate some other person to perform the duties of district attorney, during his absence from the court, who shall receive a reasonable compensation, to be certified by the court, and paid out of the county treasury.

SEC. 7. The district attorney shall draw all indictments, when required by the grand jury; shall defend all suits brought against the county; shall prosecute all recognizances forfeited in the district court, and all actions for the recovery of debts, fines, penalties and forfeitures, accruing to the Territory, or his county; and he shall also perform such other duties as may be required of him by law.

SEC. 8. When he receives money or property, in his official capacity, he shall deliver a receipt therefor to the person from whom he receives it, and file a duplicate with the clerk of the board of supervisors.

SEC. 9. He shall, on the first Mondays of January and May, and last day of November in each year, file in the office of the county treasurer an account in writing, certified by oath, of all monies received by him in his official capacity, and shall at the same time pay over to the county treasurer.

SEC. 10. For a failure to comply with the provisions of the last section, the county treasurer shall bring an action against him and his sureties, for the recovery of all monies in his hands not accounted for, and for twenty per cent additional thereon.

SEC. 11. The district attorney shall, without fee, give his opinion to any assessor, collector, board of supervisors, coroner, county treasurer, and sheriff, in any matter relating to the duties of their respective offices.

SEC. 12. The district attorney, in addition to the salary allowed by law, shall receive the same fees as are allowed the attorney general by the Howell Code.

SEC. 13. The district attorney, when not in attendance on the sittings of the district court as criminal prosecutor, shall attend the sittings of the board of supervisors when engaged in auditing accounts and claims brought against the county, and in all cases oppose such accounts or claims as he may deem illegal or unjust.

SEC. 14. No district attorney, except for his own services, shall be allowed to present any claim, account or demand, for allowances against his own county, or in any way to advocate the relief asked on the claim or demand made by another.

SEC. 15. The district attorney may be indicted for a misdemeanor in office or neglect of duty, and be punished by fine not exceeding one thousand dollars, or by removal from office, and by both such fine and removal from office, said fine to be paid into the county treasury for county purposes.

SEC. 16. In case a vacancy should occur in the office of the district attorney, by death, removal, or otherwise, the board of supervisors shall appoint some suitable person to fill such vacancy, who shall remain in office until the next general election, and until his successor is duly elected and qualified.

SEC. 17. It shall be the duty of the board of supervisors of each county, to appoint some suitable person to fill the office of district attorney, until the next general election, at their next regular or special meeting, after the passage of this act.

SEC. 18. The district attorney residing in the county in which the capital may be, shall perform the duties heretofore imposed upon the attorney general by section two, three and four, of chapter sixteen, of the Howell Code, entitled "Of the attorney general," and he shall receive therefor one hundred dollars (\$100), to be paid out of the Territorial Treasury.

SEC. 19. This act shall take effect and be in force from and after its passage.

GRANVILLE H. OURY,

Speaker of the House of Representatives.

MARK ALDRICH,

President of the Council.

Approved, October 27, 1866.

RICHARD C. MCCORMICK,

A true copy of the original on file in my office.

JAMES P. T. CARTER,

Secretary of the Territory.

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GRANVILLE H. OURY,

Speaker of the House of Representatives.

MARK ALDRICH,

President of the Council.

Approved, October 27, 1866.

RICHARD C. MCCORMICK,

A true copy of the original on file in my office.

JAMES P. T. CARTER,

Secretary of the Territory.

AN ACT,

Providing for the location and registration of Mines and Mineral deposits, and for other purposes.

Be it enacted by the Legislative Assembly of Arizona:

SECTION 1. The mining districts heretofore created in the several counties of this Territory, are hereby authorized and empowered to make all necessary rules and regulations for the location, registry and working of mines therein: *Provided*, that all locations and registrations of mines and mineral deposits heretofore made in any of the said districts, shall be transmitted to the county recorder for record, within sixty days after the same shall have been located.

SEC. 2. The county recorder of the several counties, are authorized and required to procure suitable books in which the records of all mines and mineral deposits shall be kept, which said books shall be paid for out of the county treasury, and he shall receive for his services herein